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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/743,704	12/22/2003	Tim Keith	2976-4037US1

MORGAN & FINNEGAN, L.L.P.  
 345 Park Avenue  
 New York, NY 10154-0053

CONFIRMATION NO. 8966

## FORMALITIES LETTER



\*OC000000015182266\*

Date Mailed: 02/14/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Sunil Pandit*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>  
 For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Proof of authority of the legal representative under 37 CFR 1.44.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
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*A copy of this notice **MUST** be returned with the reply.*

Glide N.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
Docket No. 2976-4037US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Tim Keith, et al.  
SERIAL NO : 10/743,704 ART UNIT : TBA (1646 in parent)  
FILED : December 22, 2003 EXAMINER: TBA (J. Einsmann in parent)  
FOR : NOVEL HUMAN GENES RELATED TO RESPIRATORY  
DISEASES AND OBESITY

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application, dated February 14, 2005 submitted herewith is a Request for Transfer of Computer Readable Sequence Listing Under 37 C.F.R. §1.821(e); a copy of an executed Combined Declaration and Power of Attorney and Petition Under 37 C.F.R. §1.47(a) (including Exhibits 1-11) submitted herewith in compliance with 37 C.F.R. §1.63 as filed in the parent application (USSN. 09/627,465; new U.S. Patent No. 6,737,519) on April 3, 2001; Granted Petition dated June 14, 2001; and late oath or declaration surcharge fee (\$130). Also enclosed is a copy of the Notice to File Missing Parts.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500. Order No. 2976-4037US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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Registration No. 54,246

Dated: April 13, 2005

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